

**REMARKS**

**Status of the Application**

All of the pending claims 1-32 in the instant Application stand rejected.

**Claim Rejections**

The Examiner has rejected: (1) claims 1, 2, 9-12, 19-27 and 29-31 under 35 U.S.C. § 102(e) as being anticipated by *Aizawa et al.* (US 6,452,629 B1; hereinafter “*Aizawa*”); (2) claims 3-8 and 13-18 under 35 U.S.C. § 103(a) as being unpatentable over *Aizawa* in view of JP 09-046577 (hereinafter “*JP ‘577*”); and (3) claims 28 and 32 under 35 U.S.C. § 103(a) as being unpatentable over *Aizawa* in view of *Steinberg et al.* (US 6,006,039; hereinafter *Steinberg*). These rejections are respectfully traversed.

**Independent Claims 1, 2, 11 and 12**

In the July 11, 2005 *Amendment*, Applicants pointed out that the method depicted in FIG. 4 of *Aizawa* failed to teach or suggest “waiting for a program transmitting command from an external recording medium, where the program transmitting command is the first communication between the digital camera and the external recording medium,” as recited in independent claims 1, 2, 11 and 12. Specifically, Applicants pointed out that the portion of *Aizawa* alleged by the Examiner to be similar to the recited “program transmitting command” (Step S104 in FIG. 4) could only reasonably be read as disclosing a procedure where the camera contacts the PC to obtain information regarding the program to be added (S405-S406), which was opposite to the claimed arrangement.

The Examiner apparently concedes that Applicants' reading of the method of FIG. 4 is correct, as he now indicates that a "new ground of rejection" is applied (O.A., p. 2, line 2) against the pending claims, citing the method disclosed in FIG. 3 of *Aizawa*.

However, Applicants respectfully submit that the method disclosed in FIG. 3 also fails to teach or suggest all of the features recited in independent claims 1, 2, 11 and 12. Specifically, the cited method fails to teach or suggest "transmitting a request-to-send program command to the external recording medium," as recited in these claims.

Specifically, FIG. 3 discloses a method performed in installation program 206 of computer 200 of FIG. 1 (col. 5, lines 26-29). In this method, the versions of the program in the computer 200 are decided (S302-S304), the versions of the program in the camera are read (S305), and the program versions on the computer and the camera are compared (S306-S309). If the version on the computer is decided to be newer than the version on the camera, the computer installs the computer's version on the camera (S312).

Accordingly, it can be seen that all of the operative steps disclosed in FIG. 3 are performed by the installation program 206 on the computer 200, not by the camera 100. Thus, Applicants respectfully submit that FIG. 3 of *Aizawa* cannot reasonably be read as disclosing any operation performed by the camera 100, let alone any specific "transmission" thereby. Further, as installation program 206 installs the new program version on the camera 100, there would simply be no need for the camera to transmit any particular "request-to-send" any program command.

Thus, Applicants respectfully submit that independent claims 1, 2, 11 and 12 are patentable over the applied reference. Further, Applicants respectfully submit that rejected dependent claims 3-10 and 13-32 are allowable, *at least* by virtue of their dependency, and that the secondarily applied references thereagainst, *JP '577* and *Steinberg*, fail to teach or suggest the deficiencies of *Aizawa* noted above.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

**Conclusion**

In view of the foregoing, it is respectfully submitted that claims 1-32 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-32.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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**23373**

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